

97TH CONGRESS
2D SESSION

S. 2488

IN THE HOUSE OF REPRESENTATIVES

MAY 6, 1982

Referred to the Committees on Armed Services, Post Office and Civil Service,
and the Permanent Select Committee on Intelligence

AN ACT

To strengthen and improve the management of civilian
personnel within the Defense Intelligence Agency.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be cited as the "Defense Intelligence
4 Agency Personnel Management Improvement Act of 1982".

5 SEC. 2. (a) Chapter 83 of title 10, United States Code,
6 is amended by adding at the end thereof the following new
7 section:

8 "**§ 1604. Civilian personnel management**

9 "(a) The Secretary of Defense may, without regard to
10 the provisions of title 5 relating to the establishment of (and
11 appointment to) positions in the civil service—

1 “(1) establish such positions for civilian officers
2 and employees in the Defense Intelligence Agency as
3 may be necessary to carry out the functions of such
4 Agency, and

5 “(2) appoint individuals to such positions.

6 “(b) The Secretary of Defense shall fix the rates of basic
7 pay for positions established under subsection (a) in relation
8 to the rates of basic pay contained in the General Schedule
9 under section 5332 of title 5 for positions subject to such
10 Schedule which have corresponding levels of duties and re-
11 sponsibilities. Except for positions in the Senior Defense In-
12 telligence Executive Service, no officer or employee of the
13 Defense Intelligence Agency may be paid basic compensation
14 at a rate in excess of the highest rate of basic pay contained
15 in such General Schedule.

16 “(c) The Secretary of Defense is authorized, consistent
17 with section 5341 of title 5, to adopt such provisions of such
18 title as provide for prevailing rate systems of basic pay and to
19 apply such provisions to positions in or under which the De-
20 fense Intelligence Agency may employ individuals described
21 by section 5342(a)(A) of such title.

22 “(d) In addition to the basic compensation payable under
23 subsection (b), officers and employees of the Defense Intelli-
24 gence Agency who are citizens or nationals of the United
25 States may be granted compensation, in accordance with reg-

1 ulations prescribed by the Secretary of Defense, not in excess
2 of an allowance authorized to be paid by section 5941(a) of
3 title 5 for employees whose rates of basic pay are fixed by
4 statute.

5 “(e) Nothing in this section or any other law may be
6 construed to require the disclosure of the organization or any
7 function of the Defense Intelligence Agency or of the names,
8 titles, salaries, or number of the persons employed by such
9 Agency, except for information required by the Congress in
10 its consideration of legislation to authorize appropriations or
11 appropriate funds for the Defense Intelligence Agency and
12 except for information required to be disclosed pursuant to
13 section 501 of the National Security Act of 1947.

14 “(f)(1) Notwithstanding any other provision of law, the
15 Secretary of Defense may terminate the employment of any
16 civilian officer or employee of the Defense Intelligence
17 Agency whenever he deems such termination necessary or
18 advisable in the interests of the United States.

19 “(2) Any termination of employment under this subsec-
20 tion shall not affect the right of the officer or employee in-
21 volved to seek or accept employment with any other depart-
22 ment or agency of the United States if he is declared eligible
23 for such employment by the Office of Personnel Management.

24 “(3) The Secretary of Defense may delegate authority
25 under this subsection only to the Deputy Secretary of De-

1 fense and the Director of the Defense Intelligence Agency.
2 An action to terminate any civilian officer or employee by
3 either such officer shall be appealable to the Secretary of
4 Defense.”.

5 (b) The table of sections at the beginning of chapter 83
6 of title 10, United States Code, is amended by adding after
7 the item relating to section 1603 the following new item:

“1604. Civilian personnel management.”.

Passed the Senate May 5 (legislative day, April 13),
1982.

Attest: WILLIAM F. HILDENBRAND,
Secretary.

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